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**TARGETING THE LEADERSHIP  
OF TERRORIST ORGANIZATIONS:  
Policy Considerations for America's National Security Strategy  
in Combating Global Terrorism**

**BY**

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## ABSTRACT

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TITLE: Targeting the Leadership of Terrorist Organizations: Policy Considerations for America's National Security Strategy in Combating Global Terrorism

FORMAT: Strategy Research Project

DATE: 09 April 2002 PAGES: 40 CLASSIFICATION: Unclassified

As America champions a resurgence in patriotism following the attacks of 11 September 2001 and rallies behind a determined President to defeat an ominous and determined adversary, a complementing grand strategy for prosecuting the global war on terrorism remains conspicuously absent amidst a landscape of newly appointed cabinet officials and fledgling Homeland Security organizations. In his speech to the nation following the attacks, President Bush declared that America would bring every resource to bear in the fight to defeat terrorism. In the ensuing days, news that President Bush had authorized the Central Intelligence Agency (CIA) to target and kill Osama bin Laden and specific individuals of Al Qaeda, further shaped the scope and campaign tactics behind America's emerging strategy to combat global terrorism. Public polls reflect overwhelming support for the collective engagement of all elements of national power in the fight against terrorism. But can America prosecute a strategy that specifically targets terrorist leaders and can it be an effective instrument of U.S. national security policy in combating the global threat? Simply put, despite what the strategists achieve in their final design and assessment of a national counterterrorism strategy, can such an approach be militarily feasible, suitable and acceptable, and ultimately, can it be morally and ethically prosecuted? The purpose of this paper is to provide a general answer to that exact question. Through the dual framework of Carl von Clausewitz's center of gravity concept and Dudley Knox's strategic assessment model, this study will provide a heuristic framework for analyzing and assessing the utility of targeting terrorist leaders as a credible strategy and instrument of U.S. national policy in combating global terrorism.



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## TARGETING THE LEADERSHIP OF TERRORIST ORGANIZATIONS: POLICY CONSIDERATIONS FOR AMERICA'S NATIONAL SECURITY STRATEGY IN COMBATING GLOBAL TERRORISM

Tonight, we are a country awakened to danger and called to defend freedom.... Whether we bring our enemies to justice or bring justice to our enemies, justice will be done.... We will direct every resource at our command-every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war-to the destruction and to the defeat of the global terror network.<sup>1</sup>

President Bush 20 September 2001

As America champions a resurgence in patriotism following the attacks of 11 September 2001 and rallies behind the President to defeat an ominous and determined adversary, a complementing grand strategy for prosecuting the global war on terrorism remains conspicuously absent amidst a landscape of newly appointed cabinet officials and fledgling Homeland Security organizations. In his speech to the nation following the attacks, President Bush declared that America would bring every resource to bear in the fight to defeat terrorism. In the ensuing days, news that President Bush had authorized the Central Intelligence Agency (CIA) to target and kill Osama bin Laden and specific individuals of Al Qaeda, further shaped the scope and campaign tactics behind America's emerging strategy to combat global terrorism.<sup>2</sup>

Public polls reflect overwhelming support for the collective engagement of all elements of national power in the fight against terrorism.<sup>3</sup> But can America prosecute a strategy that specifically targets terrorist leaders and can it be an effective instrument of U.S. national security policy in combating the global threat? Simply put, despite what the strategists achieve in their final design and assessment of a national counterterrorism strategy, can such an approach be militarily feasible, suitable and acceptable, and ultimately, can it be morally and ethically prosecuted? The purpose of this paper is to provide a general answer to that exact question. Through the dual framework of Carl von Clausewitz's center of gravity concept and Dudley Knox's strategic assessment model, this study will provide a heuristic framework for analyzing and assessing the utility of targeting terrorist leaders as a credible strategy and instrument of U.S. national policy in combating global terrorism.

## THE DUAL FRAMEWORK FOR ESTABLISHING AND ASSESSING STRATEGY

The first task...in planning for war is to identify the enemy's centers of gravity, and if possible, trace them back to a single one.... The attack on these sources must be compressed into the fewest possible actions – again, ideally, into one.<sup>4</sup>

Carl von Clausewitz On War, 1832

In assimilating the President's guidance, and in establishing a strategic azimuth for the nation, strategists must now contemplate the legal, moral and ethical challenges in the lethal application of force as the U.S. begins prosecuting the global war on terrorism. Developing and assessing a cogent counterterrorism strategy, has already become the primary task for lawmakers, politicians, and strategic military planners alike. In this difficult and complex endeavor, strategist can profit from two strategic approaches that together form a synergistic dual framework for assessing strategy. The first element of this framework is a model for evaluating strategic plans and concepts developed by U.S. Commander Dudley Knox during World War II. Knox's time-tested model postulated that every strategy must include a critical examination and assessment of its *suitability*, *feasibility*, and *acceptability*. In assessing the standards for *suitability*, Knox points out, the strategist must determine if the action taken will accomplish the desired effects. In terms of assessing a strategy for *feasibility*, the strategist must analyze and determine if the action taken is feasible within the means available. Finally, an assessment of *acceptability* examines whether the consequences of cost justify the importance of the effects desired.<sup>5</sup>

The second element of the dual framework for assessing a counterterrorism strategy is Carl von Clausewitz's theoretical center of gravity concept which focuses on the source of the adversary's strength, power and resistance.<sup>6</sup> In terms of the post-11 September efforts, centers of gravity are those characteristics, capabilities, or locations from which a military force, or terrorist organization, derive their freedom of action, physical strength, or will to fight.<sup>7</sup> The use of this concept as part of the dual framework of assessing a counterterrorism strategy provides clarity of purpose, focus of effort, and ultimately in combination with Knox's model, synergism of evaluation in terms of using all elements of national power.<sup>8</sup>

Ultimately, a global war on terrorism that does not successfully define the enemy's center of gravity, or lacks the ability to decapitate it, as current U.S. military doctrine points out, is doomed to failure.<sup>9</sup> Center of gravity examples may include: national will, command and control

infrastructure, ports and airfields, power and communications grids, alliances or coalitions, or a nation's or group's leadership. The idea that a leader or key military commander could be a nation's or group's strategic center of gravity is not a new concept to military strategists. In fact, history is replete with examples of nations applying expert treatment of Clausewitz's concept in attempts to resolve political contests and attain military objectives.

In World War II, for example, Great Britain planned, organized and executed an ultimately unsuccessful commando raid in Libya with the express intent of killing German Field Marshall Erwin Rommel. And in that same conflict, the U.S. specifically targeted Japanese Admiral Isoroku Yamamoto, successfully intercepting and shooting down his aircraft in the South Pacific.<sup>10</sup>

The targeting and death of Admiral Yamamoto, in particular, provides a clear example of the dual framework of Knox's paradigm and Clausewitz's concept in action (Figure 1.0).

**Targeting Admiral Yamamoto:**

**End State:**

<b>SUITABILITY</b> <i>Will its attainment accomplish the effect desired?</i>	<b>YES</b>	Yamamoto's death will create a significant Naval tactical advantage
<b>FEASIBILITY</b> <i>Can the action be accomplished by the means available?</i>	<b>YES</b>	Attack Yamamoto with an overwhelming tactical advantage of 3:1
<b>ACCEPTABILITY</b> <i>Is the cost justified by the importance?</i>	<b>YES</b>	Defeat Japanese Navy: Cost justified/accept risk

**Figure 1.0**

**ASSESSING STRATEGY UTILIZING THE DUDLEY KNOX MODEL**

On one hand, there was Yamamoto's absolute centrality to the success of Japan's naval conquests in the South Pacific. Based on Japanese naval code intercepts, Admiral Chester W. Nimitz, then Commander in Chief of the Pacific Fleet, determined Yamamoto to be the Japanese Navy's strategic planning "center of gravity" in the South Pacific.<sup>11</sup> As a result, in addressing the strategic *suitability*, Admiral Nimitz believed that Yamamoto's death would bring about the decisive tactical advantage needed to defeat the Japanese Navy. In assessing the *feasibility* component, the U.S. commander certainly believed he possessed the means to

execute this mission. In order to create an overwhelming combat force of 3:1, Nimitz employed sixteen U.S. P-38s to attack and kill Yamamoto as he flew to visit Japanese bases in Bougainville. In the end, by accepting some tactical risk to the sixteen aircraft and aircrew members, the U.S. Navy was able to credit, in part, the eventual defeat of the Japanese in the Pacific to the death of Admiral Yamamoto, thus meeting the threshold assessment of acceptability.<sup>12</sup>

The Yamamoto example, while simplistic, demonstrates a delicate balance within the dual framework that government leaders and military strategists rarely observe in the assessment for *suitability, feasibility, and acceptability* of strategic and operational plans and concepts. When imbalances do occur, risk management and mitigation must become more than pedantic exercises in strategic leadership. Favoring the weight of suitability over acceptability, for example, can cost lives, create collateral property damage, or undermine a broader strategy of cooperative engagement involving regional alliances, coalitions or fledging democratic partnerships that are critical in attaining the strategic end state.

At the same time, in applying the dual framework to a global war against terrorism, care must be taken that this balancing act does not result in inertia against adversaries that acknowledge no limits. "Woe to the government," Clausewitz warned long ago in this regard, "which, relying on half-hearted politics and a shackled military policy, meets a foe who, like untamed elements, knows no law other than his own power".<sup>13</sup> Simply put, strategy is a tough business, and getting it right is even tougher, especially in an asymmetrical environment.

In the development of security strategy the contradictions outweigh the harmonies, the uncertainties overwhelm the established facts, the proofs remain utterly incomplete, and yet the stakes exceed all earthly objectives. The strategist has to incorporate into his work the rich and precise facts of physics, engineering, geography, and logistics; he has to allow for the swirling currents and blurred edges of psychology, political science, and history; and he needs to fit all this into the dynamic international conflict among nations – a dynamic of opposing objectives and clashing forces that is driven as much by human stubbornness as by human error.<sup>14</sup>

Given this dynamic environment, can a strategic assessment of a Clausewitzian center of gravity strategy that targets terrorists' leaders balance the elements of Dudley Knox's *suitability, feasibility, and acceptability* model as shown in Figure 2.0?

**FIGURE 2.0 COMPONENTS OF THE DUAL FRAMEWORK**



### THE DUAL FRAMEWORK AND TERRORISM: FROM CLAUSEWITZ TO KNOX

Terrorist organizations are not about buildings; they are not about weapons; they are, at their core, human beings. And usually not that many.<sup>15</sup>

Senior Pentagon Official on targeting individuals-Dec 2001

If it is all about the individual, as the Pentagon official suggests, then as in the Yamamoto case, targeting a terrorist leader like Osama bin Laden would strike directly at the center of gravity of Al Qaeda, which for Clausewitz is the best strategy to defeat an enemy.<sup>16</sup> But it is not so simple. Defining the Al Qaeda's centers of gravity among its dispersed network of cells and organizations is a complex task for military planners. The amorphous nature of terrorist organizations, coupled with the lack of American human and signal intelligence (HUMINT/SIGINT) collection capabilities and products, makes the analysis and application of Clausewitz's concept significantly more challenging in reality.

All that notwithstanding, modern military strategists and scholars do agree that terrorist leaders and subordinate cadre are attackable centers of gravity for terrorist organizations.<sup>17</sup> In

the case of state sponsored terrorism, decision making is confined frequently to a small regime elite and often only one man.<sup>18</sup> In such a case, the death of a leader would have a far greater effect on national terrorist efforts, perhaps ending them instantly.<sup>19</sup> This analysis bolsters the center of gravity argument from a military position, and gives credence to the targeting on a humanitarian basis as well.

The 1986 U.S. air attacks against Libyan President Colonel Qaddafi and his headquarters in Al-Azzizya in response to the terrorist bombings of a Berlin discotheque is an example of the application of this strategy against state-sponsored terrorists activities.<sup>20</sup> The most recent evidence of this approach in action against non-state actors is America's own record of targeting Osama bin Laden. With Tomahawk missile attacks in 1998 and the ongoing fight in Afghanistan today, senior defense officials and even the President are quick to admit that Osama bin Laden continues to be a key objective, dead or alive, in the war on terrorism.<sup>21</sup> Recent video evidence of bin Laden's acknowledgement and support of the 11 September attacks further reinforces the influence and power he yields within the Al Qaeda terrorist organization, and validates his strategic significance and desirability as a target under the dual framework's strategy.

In a parallel conceptual proposition to Clausewitz's concept, Colonel John Warden's Centers of Gravity Model (Figure 3.0) provides a logical foundation for building a cogent argument to support a strategy that targets leadership.

Warden's argument rests with the lethal application of force across many centers of gravity. The most important feature, however, is the model's center ring: the enemy's command. Warden's model, formed more than ten years ago, facilitated parallel and near simultaneous attacks on Iraqi centers of gravity during the height of the Gulf War.<sup>22</sup> By using this framework, he

concludes, "parallel attacks — striking many centers of gravity across the entire system — leads [sic] to a far higher probability of system paralysis

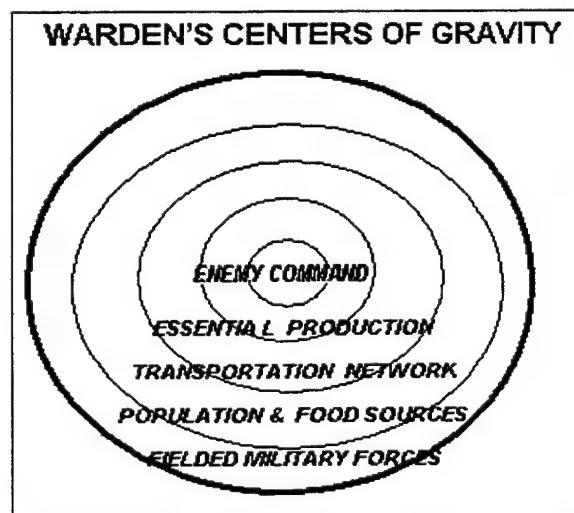


FIGURE 3.0

WARDEN'S CENTER OF GRAVITY MODEL

and of success. It also is the least-expensive way to fight in terms of dollars and human lives on both sides.”<sup>23</sup>

Figure 3.1 depicts an Al Qaeda center of gravity analysis utilizing Warden’s Model. Here Warden describes the five concentric circles relative to the Al Qaeda’s strategic and operational centers of gravity.

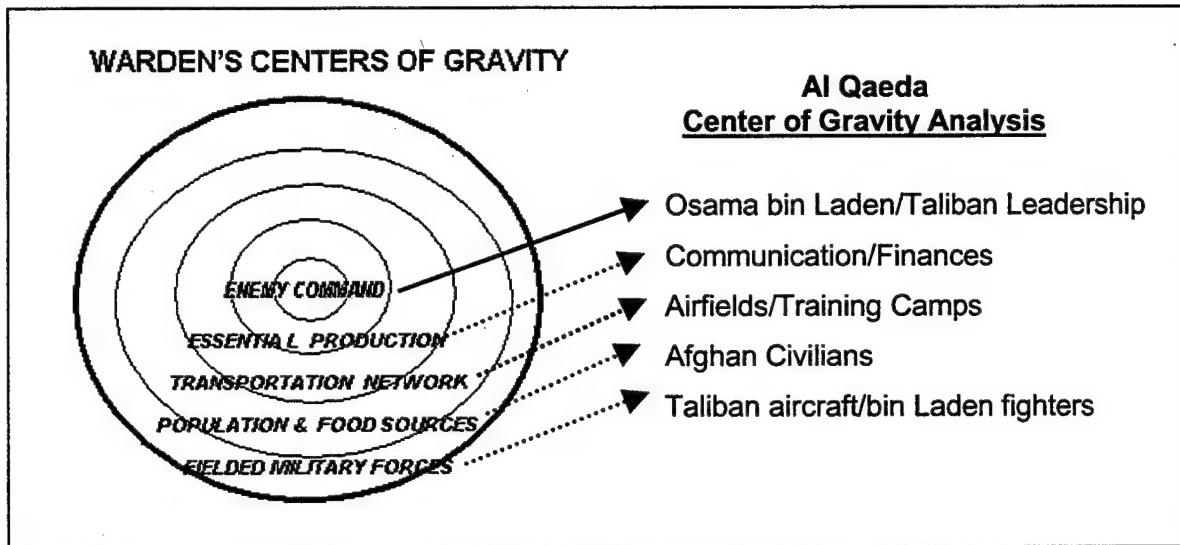


FIGURE 3.1 AL QAEDA CENTER OF GRAVITY ANALYSIS

From this specific perspective, the analysis indicates that in the application of Clausewitz’s theory to terrorism, a lethal attack against bin Laden, and the Taliban leadership merits strong consideration and action. True to his model, Warden points out that in order to create the necessary paralysis and final defeat, a measured application of force against all five rings is necessary and required, either simultaneously or sequentially if resources allow.<sup>24</sup> Still, Warden reminds the strategists that not all attacks need be negative. For example, the United States and the coalition forces are "attacking" the civilian ring with food and other humanitarian assistance. In doing so, the U.S. addresses the equally important considerations of balancing short-to mid-term strategic goals with long term objectives and credibility<sup>25</sup> The current U.S. strategy in Afghanistan appears to bear out, at least in part, the efficacy of this modification of the Clausewitzian center of gravity concept. Moreover, the pragmatic and limited nature of the Afghan strategy appears to meet the three Knox criteria. With the current campaign still ongoing, pundits remain cautiously optimistic in grading the Department of Defense, or evaluating Central Command’s strategy in terms of either component of the dual framework.

Nevertheless, even if U.S. forces attack Osama bin Laden and defeat Al Qaeda's leadership, can those actions alone meet the President's goal of stopping future acts of terrorism like those of 11 September 2001? Can this concept of warfare and strategy that targets individuals as centers of gravity achieve a *suitable, feasible, and acceptable* standard, that will still allow attainment of U.S. national security objectives?

## ON ASSESSING SUITABILITY

In addressing the question of *suitability*, the strategist must consider whether the accomplishment of the military objective will achieve the desired political or national security objective. If President Bush's strategic goal is to preserve America's security and defeat terrorism, can a Clausewitzian cum Warden center of gravity prescription for targeting leadership achieve the desired effect? More specifically, will the killing of a non-state actor like Osama bin Laden end, or at least stymie the suicide attacks against the U.S. and its national interests?

In obtaining some insight to these questions in terms of *suitability*, a recent Tel Aviv University study profiled 50 Muslim suicide bombers serving in Hezbollah, Amal, and secular pro-Syrian organizations in Lebanon. The reporting psychologist stated that since suicide terrorism is an organizational phenomenon, the struggle against it cannot be conducted on the individual level.<sup>26</sup> However, the political, economic and informational elements of power employed against a terrorist community, as one regional expert has noted, combined with effective coercive diplomacy against any foreign patrons, may at the very least help reduce suicide terrorism.<sup>27</sup> Given this analysis, it would seem that achieving security and or deterring future terrorist violence is not *suitably* accomplished by targeting and eliminating the individual suicidal terrorist. Still other experts on the subject, however, use the current Israeli example to point out that once a nation's intelligence activities establish that terrorist organizations plan to employ suicide tactics, security forces can strike effectively against the commanders and leaders who recruit and train such terrorists.<sup>28</sup> This prescription reflects a Clausewitzian center gravity approach, and supports the suitability of Wardens Al Qaeda's concentric targeting model for engaging terrorist leaders who advocate suicide tactics.

Nevertheless, the suitability of that country's current targeting policy remains questionable and has yet to provide a modicum of evidence supporting a greater security for the Israeli people. In response to world criticism, Israeli leaders claim targeting terrorist leaders "deters terror and saves lives," in reality, however, the suicide bombings continue and radicalized

Palestinians encourage even more violence.<sup>29</sup> Although targeting a terrorist leader may provide an immediate tactical victory, even the strategy's short-to mid-term *suitability* drops precipitously as demonstrated by the ongoing escalation of violence throughout Israel.

The suitability of leadership targeting in terms of state-sponsored terrorism is a different matter. Because these states are normally characterized by centralized, if not totalitarian control, regime change can be a suitable objective, particularly if supported by a center of gravity targeting analysis.<sup>30</sup> The killing of a democratically elected leader, however, offers a profound contrast to totalitarian regimes and would probably not terminate a war effort that had, through due process, pursued armed conflict as an expression of the national will.<sup>31</sup> Decentralized and pluralistic democracies provide for smooth transitions since the succession of command is a function of institutionalized authority. This process reduces the effectiveness of targeting the leadership under the dual framework's counterterrorism strategy.<sup>32</sup> Conversely, politically vulnerable totalitarian regimes are highly suitable targets in combating state-sponsored terrorism, precisely because their deaths would precipitate the greatest change in policy and perhaps, the direction of the nation as a whole.<sup>33</sup>

The strategy of targeting state-sponsored terrorist leaders should have a suitable deterrent effect as well.<sup>34</sup> Here the dynamics of deterrence theory ideally support the dual framework's methodology.

Reliance on the goodwill of others is not sufficient for harmonious relations. A reputation for the preparedness to retaliate against aggression, however can, ensure peaceful relationships even among the most hawkish adversaries. Paradoxically, failure to build such a tough reputation, or merely the belief that one has failed in reputation building, can lead one to the very acts of hostility that one wishes to avoid.<sup>35</sup>

From a classical deterrent perspective, the current military operations in Afghanistan clearly communicate the credibility and capability of U.S. resolve in defending American interests. In classic deterrent fashion, the administration's counterterrorism policy sends the clear signal that it seeks to persuade terrorists through the threat of military retaliation, and that the costs of using terrorism to resolve or attain political ends will outweigh the benefits.<sup>36</sup>

This does not appear, however, to be the case in deterring non-state terrorist groups. In fact, targeting terrorist leaders in such organizations may create instant martyrs and encourage more terrorist activity.<sup>37</sup> On the other hand, there is potential for more research into the targeting, not of the lives of terrorist leaders, but what those leaders appear to value as a way to

get inside the means-ends instrumentality cycle that is the basis for all deterrence. This approach would take the strategist further into John Warden's concentric Al Qaeda center of gravity model, for a more sophisticated and revolutionary examination of all the instruments of power, whether it be disinformation and public diplomacy or outright attacks on a terrorist leader's family.<sup>38</sup>

## ON ASSESSING FEASIBILITY

In assessing the question of *feasibility* under the Knox model, a military objective is *feasible* if it has a reasonable chance of success.<sup>39</sup> The fundamental question posed by the strategist in this case is can the action be accomplished with the resources available?<sup>40</sup> Can America, in other words, effectively target and kill terrorist leaders with the means available to the U.S. government? A major consideration concerning the strategic assessment for *feasibility* is the operational and tactical dynamics of the methods and techniques used to target and eliminate the leader. These can virtually span the entire spectrum of options, and include special operations forces, precision guided munitions (PGM), and covert activities.

History demonstrates, however, that initial optimistic assessments of *feasibly* targeting individual enemy leaders often fade when faced in execution by the realities of chance, luck and the ubiquitous presence of *Murphy* or Clausewitz's fog of war on the battlefield. In World War II, for example, the success of the Yamamoto mission was counterbalanced by the failure of the British effort to kill Rommel. In a similar manner, the targeting of Saddam Hussein during the Gulf war provides an excellent example of the difficulties in actually accomplishing this type of mission in modern warfare. From a technical standpoint, the actual means contemplated were enough to ensure a high level of planning optimism that there was a reasonable chance of success. The U.S. Air Force used a bomb whose "primary purpose was to destroy extremely hardened, deeply buried Iraqi command and control bunkers, kill senior military officials, and possibly kill President Saddam Hussein."<sup>41</sup> Employed twice during the conflict, the GBU-28 was a laser-guided conventional munitions that used a 4,400-pound penetrating warhead, and consisted of a modified Army artillery tube. But in this scenario, as with that involving the attempt on Rommel's life, the complexities of matching precision and lethality with timing and intelligence proved overwhelming.<sup>42</sup>

Added to these problems is the fact that what is feasible in terms of center of gravity targeting of enemy leaders, is not always suitable. In the 1980's, as an example, members of

the Hezbollah kidnapped and held three Soviet citizens as hostages. In response, the Soviet KGB retaliated by abducting the Hezbollah leader, then castrated him and stuffed his testicles into his mouth before executing him. A note on the corpse reminded the terrorist organization that similar events would continue to occur until the hostages were released. Because of the KGB's action, the Hezbollah immediately released the Soviet citizens.<sup>43</sup>

Clearly, the tactical environment favored and heavily influenced the conditions of the Soviet's operation and their subsequent success. However, more significant was the KGB's correct assessment of the Hezbollah leadership as the center of gravity. In analyzing the Soviet's tactics, it was clearly *feasible* to target and abduct the Hezbollah leadership, given the highly integrated KGB intelligence and operational capabilities. Despite the Soviet's near-term success, however, Middle Eastern history provides sufficient evidence where a tit-for-tat targeting of leaders rarely produces suitable long-term security benefits or catalyst for conflict resolution. The ongoing crisis situation in Israel is but one example.

If the Soviet's KGB can strong arm the terrorists into submission, how feasible will it be for America's CIA to achieve the same results? Clearly, there are more domestic constraints on the U.S. intelligence community, particularly in terms of kidnapping and assassination, than there were on the Soviet apparatus. In any event, according to former CIA Director James Woolsey's testimony before the Judiciary Committee, "the United States isn't any good at it.... There's a difference, even though it's a subtle one, between an air strike going at facilities when you know an individual might be in there, and going after a single individual."<sup>44</sup> In supporting Woolsey's testimony, one intelligence historian states that "the (CIA) never succeeded in killing anyone.... They were the gang that couldn't shoot straight".<sup>45</sup>

#### ON ASSESSING ACCEPTABILITY

In assessing *acceptability*, the strategist considers whether the consequences of cost justify the importance of the effect desired. In prosecuting a global war on terrorism with a policy that targets the leadership of both state-sponsored terrorism and non-state terrorist groups, will Americans accept the political consequences for carrying out this policy, and will it accept the potential loss of life and inevitable loss of military resources? In the calculation of *acceptability*, as one military strategist notes, "a reckoning of the profit-and-loss account of the whole undertaking is essential in determining if the undertaking is advantageous-success must

be at a reasonable cost".<sup>46</sup> Once again, the targeting of Saddam Hussein in the Gulf War provides a useful example.

In March of 1988, as Commander in Chief of Iraq, Hussein ordered his air force to drop nerve agents on more than 5000 Iraqi citizens in the small town of Halapja, in Kurdistan Iraq. The results were deadly and horrific. Survivors of the Halapja massacre, with limbs distorted, relentlessly suffering in pain, were reportedly envious of the dead.<sup>47</sup> This event, coupled with the subsequent Iraqi invasion of Kuwait provided the basis for meeting the standard of acceptability. "Saddam Hussein decided to be an aggressor and he was the main motivator for the Iraqi troops carrying out the invasion," one observer noted in support of the U.S. decision to attack the Iraqi leader. "Killing him could have stopped the Iraqi aggression and occupation of Kuwait."<sup>48</sup>

Other factors were equally persuasive. With the U.S. operating under complete air supremacy, the cost and risk to aircrews and weapons platforms that delivered the ordnance were minimal. Moreover, consequences in a pure "profit-and-loss" analysis were more than acceptable given the vulnerability of Hussein's totalitarian regime to such an attack, and the humanitarian life-saving effects to the Iraqi military and civilian population that would directly result. From this standpoint alone, the targeting and death of Hussein would be considered a moral victory over tyranny and evil.<sup>49</sup>

The killing of tyrants (tyrannicide) like Saddam Hussein has historical moral underpinnings and acceptability. Support for such action appears in Aristotle's *Politics*, Plutarch's *Lives* and Cicero's *De Officiis*. According to Cicero, "there can be no such thing as fellowship with tyrants, nothing but bitter feud is possible: and it is not repugnant to nature to despoil, if you can, those who, it is a virtue to kill."<sup>50</sup> English poet John Milton furthered the argument of tyrannicide in justifying the killing of Charles I: "Tyrannicide, that is the killing of a tyrant is not only lawful, but also laudable".<sup>51</sup> On a more modern note, former Secretary of Defense Casper Weinberger argues that "if the targeting and killing of the leader or leaders can help end a war quickly, and thus spare lives of hundreds of thousands of combatants, its hard to find any moral argument for not attempting to kill the leaders."<sup>52</sup>

From these historical perspectives, the deliberate targeting of Hussein appears to easily clear the bar of acceptability. Nevertheless, a closer look into the second and third order effects of targeting terrorist leaders provides yet another facet to analyze in assessing this strategy under Knox's acceptability standard. For example, if successful in killing a totalitarian or terrorist leader, the U.S. risks making the target a martyr, thus potentially escalating the hatred and violence that the strategy was intended to stop or mitigate in the first place.<sup>53</sup>

Considerations of such violent veneration of martyrs by terrorist organizations and their members will undoubtedly raise the *acceptability* thresholds for strategists using Clausewitz's center of gravity concept in this asymmetrical environment. This is borne out by analyzing the reciprocal effects of targeting non-state terrorist leaders.

For instance, the 1992 Israeli killing of Hezbollah Secretary General Sheikh Abbas Mussawi provides sufficient evidence that blood debts in terrorist circles carry lifetime warranties. Following Mussawi's death, Sheikh Nasrallah led the Hezbollah campaign that ousted Israel from southern Lebanon, deliberately causing heavy Israeli causalities in the process. Regional experts report that the Hezbollah response and victory in Lebanon following Mussawi's death now serves as an example for other radical Palestinian militants and potential state-sponsors such as Iran.<sup>54</sup>

Although lethally targeting terrorist leaders may clear established lawful and political thresholds, the complexities of assessing the criteria of *acceptability* require a detailed study of geopolitical, military, cultural and religious considerations. To employ such a strategy without this analysis invites chaos and potentially exponential reaction by subordinate terrorist leaders and their organizations, and as discussed above, may in fact escalate the violence and further threaten the likelihood of ever reaching conflict termination, much less a conflict resolution.<sup>55</sup>

## **THE LEGAL AND MORAL UNDERPINNINGS FOR A DUAL FRAMEWORK STRATEGY**

Peace, as taught by Sacred Scripture and the experience of men itself, is more than just the absence of war. And the Christian is aware that on earth a human society that is completely and always peaceful is unfortunately an utopia and that the ideologies which present it as easily attainable only nourish vain hopes. The cause of peace will not go forward by denying the possibility and the obligation to defend it." Our Lord said, "Blessed are the peacemakers"; to make peace necessitates confronting evil with just actions.<sup>56</sup>

Pope John Paul II in an address to a group of soldiers

In the final assessment of *acceptability* under the dual framework model, the implications of a U.S. targeting policy must withstand the moral scrutiny and traditional expositions of the Just War Theory, international treaties and legal obligations. Absent such consideration, the other two-thirds of the Knox model, *suitability* and *feasibility*, will become irrelevant.

The just conduct of war, or *Jus in Bello*, is part of the just war theory and consists of two principles that must be considered in determining the acceptability of targeting terrorist leaders (Figure 4.0).

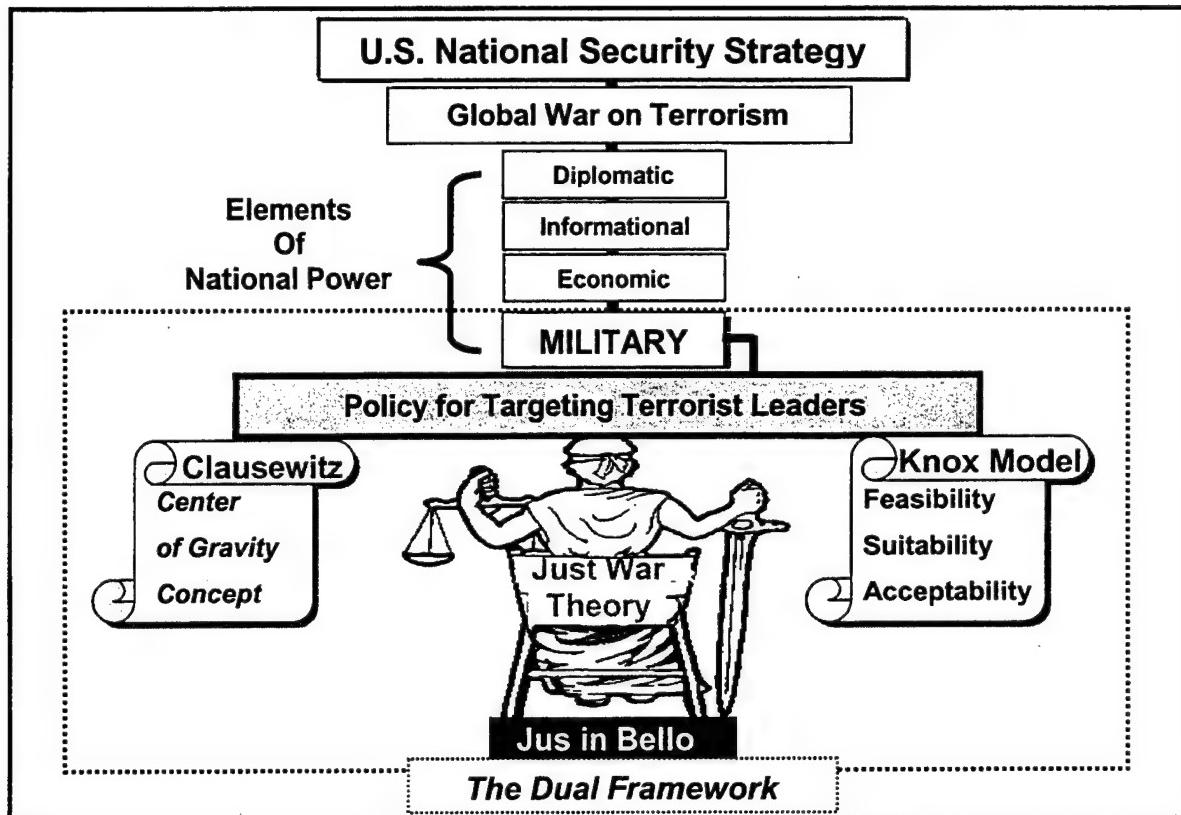


FIGURE 4.0

#### MORAL UNDERPINNINGS FOR A DUAL FRAMEWORK STRATEGY

The first principle, *discrimination*, examines whether such a counterterrorism policy can be discriminately prosecuted so as to minimize the effects on non-combatants. Conservatively, it would seem that the increasing precision of American weapons coupled with the habitually restrictive U.S. rules of engagement would support this approach. The real issue for debate, however, is the availability and application of intelligence in the target and weapons selection process and in the tactics employed against the terrorist leaders.<sup>57</sup> Ethicists support this premise and argue that modern technology and strategy can help the U.S. military "fight justly" as it prosecutes the global war on terrorism.<sup>58</sup>

In this regard, although the employment of Special Forces can conceivably achieve a "one-shot-one-kill" discriminative strike without contravening established jurisprudence, the use of PGM's, cruise missiles, or even cluster bombs against a terrorist leader's convoy or within an

urban area can call into question and invoke debates concerning discrimination. In order to maintain credibility within a coalition, and even within its own establishment, the U.S. military must endeavor to preserve this principle from the just conduct of war as America prosecutes the campaign against terrorism.<sup>59</sup>

The second guiding principle under Jus in Bello argues that any action should remain strictly *proportional* to the objective desired.<sup>60</sup> From this perspective, the targeting of Saddam Hussein in the Gulf War was an acceptable action considering the possible outcome. "The proportionality doctrine of international law," one analysts observed at the time, "supports a conclusion that it is wrong to allow the slaughter of 10,000 relatively innocent soldiers and civilians if the underlying aggression can be brought to an end by the elimination of one guilty individual."<sup>61</sup> Such moral arguments still apply in the case of a non-state terrorist leader such as Osama bin Laden. Considering the probability that terrorist organizations will ultimately possess and detonate a weapon of mass destruction on U.S. soil, a policy that targets terrorist leadership should readily achieve popular international support and easily meet the rigors of a *proportional* response assessment. Again, as with the principle of discrimination, the principle of proportionality supports the dual framework as an ethically responsible and morally appropriate counterterrorism strategy. The larger question still remains, however, as to whether such action against a non-state leader either prevents or deters the leader's followers from acting.

In terms of legality, as opposed to morality, the debate on whether the terrorist attacks of 11 September 2001 were acts of crime, or acts of war ended with the President's speech on 20 September 2001. "Our war on terror begins with Al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated."<sup>62</sup> Armed with the legitimatising authority provided by United Nations' Article 51, and further bolstered by the subsequent UN Resolution and supporting U.S. Constitutional authority, terrorist organizations and their leaders have now become legitimate military targets of the United States.<sup>63</sup>

Throughout history, legal scholars and philosophers have differentiated lawful killing from assassination, which they equate with the use of treachery, and as "a breach of confidence".<sup>64</sup> Treachery is not clearly defined by international law, but is understood as a breach of good faith toward the victim, and is not regarded as prohibiting operations that depend upon the element of surprise, such as commando raids or other forms of attack behind enemy lines.<sup>65</sup> Despite some divergence on the subject of assassination, the consensus of these early law scholars was that an intentional attack to kill an enemy leader was generally permissible as long as the tactics

avoided the use of treachery.<sup>66</sup> There are historians and scholars who argue that the heads of state or governments, or commanders of armed forces are exempt from attack during war because of language found in the 1648 Treaty of Westphalia. However, neither the Geneva, nor Hague Conventions, nor any other law of armed conflict support the concept of providing immunity to heads of state during times of war.<sup>67</sup>

Consistent with this precedence, modern day arguments for targeting terrorist groups and terrorist leaders enjoy legal support in both international and domestic law. In times of war, the role and functional purpose of the military include the legalized killing of the enemy, whether lawful combatants or unprivileged belligerents.<sup>68</sup> Both the Hague Convention and the U.S. Army Law of Land Warfare clearly authorize the targeting of leadership during wartime.<sup>69</sup> As such, the targeting of terrorists leaders and their organizations, as evaluated through the dual framework's methodology, reaffirms the constraints concerning perfidious and treacherous acts, and acknowledges the international obligations, U.S. Executive Orders and military laws forbidding assassination.

## SUMMARY AND RECOMMENDATION

Our war on terror is well begun, but it is only begun. This campaign may not be finished on our watch, yet it must be and it will be waged on our watch....In a single instant, we realized that this will be a decisive decade in the history of liberty -- that we have been called to a unique role in human events. Rarely has the world faced a choice more clear or consequential... Steadfast in our purpose, we now press on. We have known freedom's price. We have shown freedom's power. And in this great conflict, my fellow Americans, we will see freedom's victory.<sup>70</sup>

President Bush 29 January 2002

One of the primary components of the dual framework used to analyze the strategic considerations for targeting terrorist leaders include Carl von Clausewitz's concept of strategic centers of gravity. Colonel John Warden's concentric ring center of gravity model provides a modern treatment of this classical concept that buttresses the argument for targeting the enemy leadership. From this standpoint, a clear connection to a judicious and lethal application of force on those centers of gravity becomes an attractive alternative to other high-risk defeat mechanisms in securing American national security objectives.

Commander Dudley Knox's paradigm for assessing strategy constitutes the other component of the dual framework's methodology. The inseparable nature of Knox's three components, however, when applied to the center of gravity strategy reveals the complexities involved in successfully targeting terrorist leaders. In terms of *suitability* and *feasibility*, the Knox model is easier to apply to the targeting of leaders of states that sponsor terrorism than to leaders of non-state terrorist groups. In both cases, however, the realities of chance, intelligence opportunities and long term effectiveness intrude, whether it concerns deterrence or actions to be taken if deterrence fails. From this perspective, the center of gravity strategy has definite costs and risks, although these can be mitigated somewhat by the full application of national power across all of Warden's concentric targets, even as the primary effort remains focused on the terrorist leadership itself. In any event, most costs and risk will be acceptable since the ultimate issue is that of homeland security and because the Jus in Bello theory provides support to the rationale for this strategy as both an honorable and ethically justifiable method for dealing with terrorist leaders and their organizations.

In the final analysis, this study accepts the dual framework that uses both the center of gravity concept in targeting terrorist leadership and the Knox analytical model that establishes limitations in the use of that concept. In order to use this framework most effectively, however, it should be applied in a full and more detailed and extensive treatment of Warden's complete Al Qaeda concentric ring model. Such an approach would holistically embrace the entire range of targets in the model and exploit its strategic utility as it applies to the ongoing campaign against global terrorism.

Adopting and prosecuting a strategy that targets both state and non-state terrorist leaders will unquestionably challenge America's leadership and military strategists alike. In the final consideration for adopting such a policy, the Knox analytical model is an important reminder that America's campaign against international terrorism must not only defeat and eliminate terrorist with global reach, it must reflect a broader strategy that endeavors to preserve those fundamental liberties, freedoms, and democratic institutions established more than 200 years ago.

Word Count: 6003



## ENDNOTES

<sup>1</sup> President George Bush, "Transcript: President Bush Address to the Nation," 20 September 2001; available from <<http://www.cnn.com/2001/US/09/20/gen.bush.transcript.html>>; Internet; accessed 12/12/2001.

<sup>2</sup> David Gow, "Bush Gives Green Light to CIA for Assassination of Named Terrorists," The Guardian 29 October 2001; available from <<http://www.guardian.co.uk/waronterror/story/0,1361,582588,00.html>>; Internet; accessed 11/30/2001. Also see Naftali Bendavid and John Diamond "CIA gets OK to kill bin Laden," Chicago Tribune 22 October 2001; available from <<http://www.chicagotribune.com/news/specials/chi-0110220256oct22.story?coll=chi-newspecials>>; Internet; accessed 4 March 2002. Also see Bob Woodward, "Secret CIA Units Playing a Central Combat Role," Washington Post 18 November 2001, and Michael Ashkouri, who reports in his article, "Has the United States Foreign Policy Towards Libya, Iraq and Serbia Violated Executive Order 12333: Prohibition on Assassination?", that even the Clinton administration declared "it has a right to use deadly force against terrorist leaders" such as Osama bin Laden. Michael Ashkouri, "Has United States Foreign Policy Towards Libya, Iraq and Serbia Violated Executive Order 12333: Prohibition on Assassination?" England and Comparative Law Annual; available from <<http://www.nsl.edu/annual/index.html>>; Internet; accessed 9/19 2001.

<sup>3</sup> Gallup Poll Information, available from <<http://www.gallup.com>>; Internet; accessed, 12/11 2001. Also see Avodah, ADL Poll Information, available from <<http://groups.yahoo.com/group/Am-Yisrael/message/4128.htm>>; accessed 12/11/2001.

<sup>4</sup> See Clausewitz Home Page; On War, available from <http://www.clausewitz.com/CWZHOME/CWZBASE.htm>; Internet, accessed 10/11/2001. Also see Carl Von Clausewitz, On War (Howard-Paret paper edition, Princeton University Press, 1976) pp.617-619.

<sup>5</sup> Dudley Knox, Sound Military Decisions (Newport, RI: Naval War College, 1942), pp. 32, 34, 164, 165. Also see Henry Eccles, Military Power in a Free Society (Newport, RI: Naval War College Press, 1979), p. 73, and H. Richard Yager, "Towards a Theory of Strategy: Art Lykke and the Army War College Strategy Model," available from <<http://www.carlisle.army.mil/authors/stratpap.htm>>; Internet; accessed 12/10/01.

<sup>6</sup> See Clausewitz Home Page.

<sup>7</sup> Joint Pub 5-00.1 Joint Doctrine for Campaign Planning, Final Coordination, (Washington, D.C.: 16 April 2001), pp. II-6.

<sup>8</sup> Ibid. Also see: Richard, "No Easy Battle," STRATFOR, The Global Intelligence Company 13 September 2001; available from <<http://www.stratfor.com/company/info.htm>>; Internet; accessed, 12/16 2001, and Clausewitz Home Page, available from; <<http://www.clausewitz.com/CWZHOME/CWZBASE.htm>>; Internet; accessed 10/11/2001.

<sup>9</sup> See Joint Pub 5-00.1.

<sup>10</sup> W. Hays Parks, "Memorandum of Law: Executive order 12333 and Assassination," The Army Lawyer, (December 1989), p. 5. Parks also cites the October 1951 mission involving U.S. Navy air strikes that killed 500 senior Chinese and North Korean military officers and security forces attending a military planning conference at Kapsan, North Korea.

<sup>11</sup> David Moon, "Pacification By Assassination: The Legality Of Assassination In Conducting US Foreign Policy," available from <<http://faculty.lls.edu/~manheimk/ns/moon2.htm>>; Internet; accessed 9 October 2001, p. 6.

<sup>12</sup> L.C. Kukral, "Death of Yamamoto due to "Magic," Navy and Marine Corps World War II Commemorative Committee, available from <<http://www.chinfo.navy.mil/navpalib/wwii/facts/yamadies.txt>>; Internet; accessed 12/18/19, pp. 1-2. Also see Moon, p. 6.

<sup>13</sup> See Clausewitz Home Page.

<sup>14</sup> Fred Ikle, "The Role of Charter and Intellect in Strategy," in On Not Confusing Ourselves: Essays on National Security Strategy in Honor of Albert and Roberta Wohlsteller, ed. Andrew W. Marshall, J. Martin, and Henry S. Rowen (Boulder, CO: Westview Press, 1991), p.312; quoted in Dr. David Jablonsky, "Why Is Strategy Difficult?" in Gary L. Guertner, The Search for Strategy, (Greenwood Press, Westport Connecticut, 1993), p.38.

<sup>15</sup> "US To Copy Mossad Assassination Techniques?" New York Daily News 21 February 2001; available from <<http://www.rense.com/general18/TCH.htm>>; Internet; accessed 10 March 2002.

<sup>16</sup> Bruce A. Ross, The Case for Targeting Leadership in War, Naval War College Research Paper (Newport: Naval War College, 13 February 1992), p.1.

<sup>17</sup> Wray Johnson, "Notes on International Terrorism," e-mail message, available from <<http://fs.huntingdon.edu/history/jlewis/outlines/terromideart4.htm>>; Internet; accessed 12/19/2001. Also see: Richard, "No Easy Battle."

<sup>18</sup> For a comprehensive discussion on the political, ethical and moral considerations for the application of lethal force against regime elites and tyrants, and an interesting proposal for provisioning Executive Order 12333 with discriminating language that would support the lethal targeting and killing of lawful combatants, see Thomas C. Wingfield, "Taking Aim at the Regime Elites: Assassination, Tyrannicide, and the Clancy Doctrine," 22 MD.J. INT'L L.&TRADE 287 (1999).

<sup>19</sup> Ibid.

<sup>20</sup> Michael Ashkouri, "Has the United States Foreign Policy Towards Libya, Iraq and Serbia Violated Executive Order 12333: Prohibition on Assassination?" New England and Comparative

Law Annual; available from <http://www.nesl.edu/annual/index/html>; Internet; accessed, 9/19 2001. p. 169.

<sup>21</sup> Evan Thomas and John Barry, "Evil in the Cross Hairs" Newsweek, Dec 24 2001. available from <<http://www.msnbc.com/news/673525.asp>>; Internet; accessed 19/19/2001. Also see Secretary of State Colin L. Powell "Interview on Fox News Sunday with Tony Snow, Washington, DC.; December 16, 2001; available from, <<http://usinfo.state.gov/regional/af/a1121608.htm>>; Internet; accessed 12/19/2001.

<sup>22</sup> John A. Warden, "Terrorists are More Vulnerable than Many Believe," USA Today 10/9/2001; available from <<http://www.usatoday.com/news/comment/2001-10-09-ncguest1.htm>>; Internet; accessed 12/19,/2001. Also see Lt Col Francisco N Cruz, Jr. PAF, "Strategy and Center of Gravity," Air Force Review Vol 2, No. 2; available from <[http://www.paf.mil.ph/af\\_review/vol02/Strat&cg.htm](http://www.paf.mil.ph/af_review/vol02/Strat&cg.htm)>; Internet; accessed 12/16/2001.

<sup>23</sup> See Warden.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ehud Sprinzak, "Rational Fanatics," Foreign Policy Magazine September/October 2001; available from <[http://foreignpolicy.com/issue\\_SepOct\\_2001/Sprinzak.html](http://foreignpolicy.com/issue_SepOct_2001/Sprinzak.html)>; Internet; accessed 12/11/2001.

<sup>27</sup> Ibid. p.4.

<sup>28</sup> Ibid. p. 5.

<sup>29</sup> David Plotz, "The Logic of Assassination, Why Israeli Murders and Palestinian Suicide Bombings Make Sense," MSN Slate 17 August 2001; available from <<http://slate.msn.com/HeyWait/01-08-17/HeyWait.asp>>; Internet; accessed 10/9/01.

<sup>30</sup> Louis Rene Beres, "Assassination, Law and Justice-A Policy Perspective," available from <<http://icdweb.cc.purdue.edu/~beres/assaspol.html>>; Internet; accessed 11/12/2001. Also see Ross, p. 5., and Wingfield, p.25.

<sup>31</sup> See Wingfield. pp. 25-26.

<sup>32</sup> Ibid.

<sup>33</sup> See Ross, pp. 4-6.

<sup>34</sup> According to Robert Keels, classical theories ranging from deterrence to personal choices are based on the conceptions of rationality. Rooted in the analysis of human behavior as studied by classical theorist Beccaria and Betham, eight basic tents of rational behavior

emerge: (1) The human being is a rational actor, (2) Rationality involves an end/means calculation, (3) People (freely) choose all behavior, both conforming and deviant, based on their rational calculations, (4) The central element of calculation involves a cost benefit analysis: *Pleasure versus Pain*, (5) Choice, with all other conditions equal, will be directed towards the maximization of *individual* pleasure, (6) Choice can be controlled through the perception and understanding of the potential pain or *punishment* that will follow an act judged to be in violation of the social good, the *social contract*, (7) The state is responsible for maintaining order and preserving the common good through a system of laws (this system is the embodiment of the social contract), (8) The *Swiftness, Severity, and Certainty* of punishment are the key elements in understanding a law's ability to control human behavior. Given this, deterrents then emerge as a pragmatic method in shaping the choice of terrorist leaders, subordinate cadre and individuals as rational actors. Robert Keels, "Rational Choice, Deterrence, Incapacitation and Just Desert," available from <<http://www.umsl.edu/~rkeel/200/ratchoc.html>>; Internet; accessed 11 March 2002. Also see Scott Sagan-Lecture 3/Notes, "Deterrence in Theory and Practice," available from <<http://sdli.stanford.edu/101/lectures/notes03.html>>; Internet; accessed 12/8/01. Sagan comments on assessing the fundamental components of deterrence theory and suggests that for deterrence to be effective it must, among other classical considerations, accomplish and address four basic requirements: (1) capability to inflict unacceptable cost, (2) capability of being effectively communicated, (3) established credibility in actually carrying out the policy and (4) a solid rational in assessing the cost and benefits.

<sup>35</sup> David Newman and Tyll Van Geel, "Executive Order 12333: The Risks of Declaration of Clear Intent," 12 Harvard J. Law & Pub POL. pp. 433, 447 (1992).

<sup>36</sup> Robert P. Hoffa, Jr., "The Future of Deterrence in a New World Order," in The Search for Strategy, ed. Garry L. Guertner, (Westport Connecticut, Greenwood Press) 147-165.

<sup>37</sup> See Ross. pp.17-19.

<sup>38</sup> See Wingfield p. 8. In support of this analysis, Wingfield observes that "dictators and aggressors, when confronted by military superior democratic forces, are likely to restrain their aggressive actions" and that "new forms of deterrence may pay huge dividends in lives saved, and should include new approaches such as targeting that which is most important to the dictator himself—his stature as a national or international leader, his ability to travel internationally and domestically, his freedom...and ultimately, his life." In fact, Wingfield concludes and recommends to future strategist, the diplomatic toolbox must include credible threats to each one of those critical elements. Also see Cesare Beccaria, "On Crimes and Punishment," available from <<http://crimetheory.com/ClasPos/onc&p.htm>>; Internet; accessed 1/18/02. In this treatise, Beccaria, an 18<sup>th</sup> century Italian theorist, supports the considerations for a deterrent policy and a discriminate and proportionate response. This work had profound impact on the framers of the U.S. Constitution, Bill of Rights and the U.S. Justice System. Also see Keel, p. 3 for an interesting discussion and detailed analysis on the dynamics of deterrence theory and the social consequences, also see, Stephan Pfohl, Images of Deviance and Social Control: A Sociological History, 2nd ed., (New York, McGraw-Hill 1994), and Caspar Weinberger, "When Can We Target the Leaders?" Strategic Review Spring; available from <<http://www.debateadict.com/mail-archive/parli-student/MayJun2001/0094.shtml>>; Internet; accessed 10/14/201, p. 21.

<sup>39</sup> LTC Ted Davis, USA (Ret), "Evaluating National Security Strategy and National Military Strategy," U.S. Army Command And General Staff College available from <<http://www-cgsc.army.mil/Djco/core/C500/AY2002/lnsn01/ln1rde.doc>>; Internet; accessed 12/8/2001. pp. L1-E1.

<sup>40</sup> Ibid.

<sup>41</sup> Moon, p. 7.

<sup>42</sup> Ibid, pp. 6-7.

<sup>43</sup> Bob Woodward, Veil: The Secret Wars Of The CIA, 1981-1987, (Simon and Schuster Press 1987), p. 417. Also see Moon, p. 6.

<sup>44</sup> See John Diamond, "Senators Question FBI Director About Legality of Assassination," available from <<http://www.cnn.com/ALLPOLITICS/1998/09/03/fresh.terrorism.ap/>>; Internet; accessed 09/19/2001.

<sup>45</sup> Ibid. Also see: Gow, p. 5.

<sup>46</sup> See Davis, pp. L1-E1. Davis provides excellent treatment to the analysis on the feasibility, suitability and acceptability (FAS) assessment process and analysis required. He provides additional comment on the assessment of the moral considerations involved in applying the FAS model.

<sup>47</sup> Bob Filner, Congressmen, "Statement: On the Occasion of the 12<sup>th</sup> Annual Memorial of the Massacre of Halapja," March 18, 2000; available from <<http://www.kurdistan.org/Current-Updates/filner.Halapja.2000.html>>; Internet; accessed 12/23/2001.

<sup>48</sup> Chris Anderson, "Assassination, Lawful Homicide, and the Butcher of Baghdad," Hamiline Journal of Public Law and Policy 13 (Summer 1992); pp. 291-321. Also see Wingfield, pp. 25-29.

<sup>49</sup> For additional insight on this particular aspect of targeting Saddam Hussein, see: Louis Beres, "Assassination, Law and Justice A Policy Perspective," Purdue University; available from <<http://icdweb.cc.purdue.edu/~beres/assapol.html>>; Internet; accessed 11/13/2001.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid. Louis Rene Beres provides exceptional support and historical references to tyrannicide as a political obligation and instrument of "society." Bere's well researched paper examines the essential elements of both the theoretical and historical perspectives governing the application of lethal force against tyrants.

<sup>52</sup> See Weinberger, p. 21.

<sup>53</sup> See Ross, pp. 13-19, and Ashkouri, pp.8-11.

<sup>54</sup> Vincent Cannistraro, "Assassination is Wrong and Dumb," The Washington Post Online 30 August 2001; available from <<http://www.washingtonpost.com/ac2/wp-dyn?pagename+article&node+&contentId=A166.htm>>; Internet; accessed 11/13/2001. Also see Bruce A. Ross, The Case for Targeting Leadership in War, Naval War College Research Paper (Newport: Naval War College, 13 February 1992), p.17. Furthering the argument for considering the second and third order effects of targeting terrorist leaders, Ross points out "had the U.S. gone to war with Iran back in the 1980's, the targeting and death of the Ayatollah Khomeini could have proved disastrous whether or not he was Iran's center of gravity because of the potential backlash from individuals otherwise passive in support of their ideological beliefs."

<sup>55</sup> Ross, pp.10-12. Also see Jason Vest, "Kill this Idea," The American Prospect May 2001; available from <<http://www.prospect.org/print/V12/8/vest-j.html>>; Internet; accessed 19 September 2001.

<sup>56</sup> See Fr. Williams Saunders, "Responding to Terrorists," available from, <<http://www.catholicherald.com/saunders/01ws/ws010920.htm>>; Internet; accessed 1/18/2002.

<sup>57</sup> Definitions on Just War Theory/Tradition are taken from the "Just War Theory" The Internet Encyclopedia of Philosophy, available from <<http://www.utm.edu/research/iep/j/justwar.htm>>. Internet. Accessed 8 December 2001, p.1-7.

<sup>58</sup> : Bill Broadway, "Challenges of Waging a Just War." Washington Post October 13, 2001, available from <<http://www.washingtonpost.com/ac2/wp-dyn/A52548-2001Oct12?language+printer>>; Internet, accessed 23 December 2001. pg.1.

<sup>59</sup> For an exceptionally detailed study on the historical and ethical underpinnings of the just war theory and the arguments made by early theologians see: John Raymond, The Just War Theory John Raymond, "The Just War Theory," available from <<http://www.monksofadoration.org/justwar.html>>; Internet; accessed 12/23/01. Also see Broadway, pg.1. Broadway's discussion on ethicists' and theologians' warnings against the U.S. temptation to fight terror with terror and indiscriminately destroy human life. Broadway quotes Johnson and Stanley M. Hauerwas of Duke University who both support the judicious application of force against those responsible for the 11 September attacks on the U.S.; however, Hauerwas stops short of fully supporting a campaign outside of the current operation in Afghanistan.

<sup>60</sup> See "Just War Theory" The Internet Encyclopedia of Philosophy p.5.

<sup>61</sup> Robert F. Turner, "Killing Saddam: Would It Be A Crime?" NAT'L L. J. 7 Oct 1990; at D1, quoted in Wingfield, note 84, p. 2. Also see Broadway, p.1.

<sup>62</sup> See: President Bush's speech 20 Sep 2001.

<sup>63</sup> See the September 12th U.N. Security Council Resolution 1368 condemning the terrorists attack and citing "the inherent right of individual or collective self-defense in accordance with the Charter." U.N. Security Council: Resolution 1368; available from <<http://www.un.org/docs/scres/2001/res1368e.pdf>>; Internet; accessed 10 March 2002. For an in-depth analysis on the President's authority to prosecute a war on terrorism, see John Dean, "Examining the President's Power to Fight Terrorism," FindLaw's Writ Legal Commentary 14 September 2001; available from <<http://writ.news.findlaw.com/dean/20010914.html>>; Internet; accessed 09/19/2001, which provides exceptional clarity and supporting evidence on the justification for the President's actions. Also see Jay Allan Sekulow, "Constitutional Statutory Authority for Declarations of War," The American Center for Law and Justice Online 13 September 2001; available from <[http://www.aclj.org/news/nf\\_010913\\_constitution\\_war.asp](http://www.aclj.org/news/nf_010913_constitution_war.asp)>; Internet; accessed 14 October 2001, which outlines the constitutional statutory authority for declarations of war and as such provides a framework for discussing and supporting just war theories and strategies as they apply to asymmetrical threats, individuals, and combating terrorism.

<sup>64</sup> Mark Vincent Vlasic, "Cloak & Dagger Diplomacy: The United States and Assassination," Georgetown Journal of International Affairs-Online; available from <[http://cfdev.georgetown.edu/publications/journal/voll\\_2/1\\_13.htm](http://cfdev.georgetown.edu/publications/journal/voll_2/1_13.htm)>; Internet; accessed 12/17 01, p. 2.

<sup>65</sup> See Ashkouri, p.159. Also see Parks, p. 5.

<sup>66</sup> See Ashkouri, p.158.

<sup>67</sup> Ibid. Also see Parks, pp. 4-5, also see Wingfield, "Taking Aim at the Regime Elites: Assassination, Tyrannicide, and the Clancy Doctrine," and Louis Beres who provides excellent treatment to the subject of targeting leadership and assassination from a legal and policy perspective in "Assassination, Law and Justice A Policy Perspective," available from <<http://icdeweb.cc.purdue.edu/~beres/assapol.html>>; Internet; accessed 11/13/2001.

<sup>68</sup> See Parks. pp.4-5.

<sup>69</sup> U.S. Army, Field Manual 27-10, The Law of Land Warfare, available from <<http://faculty.ed.umuc.edu/~nstanton/ FM27-10.htm>>; Internet; accessed 15 December 2001, Section II. Paragraph 31. For additional perspectives on International Law, domestic implications and current debates on assassination see Daniel B. Pickard; "Legalizing Assassination? Terrorism, The Central Intelligence Agency, and International Law," The Georgia Journal of International and Comparative Law, Inc. Fall 2001; available from <[http://web.lexis-nexis.com/universe/document?\\_m=eldc456188515028031f0792331abel](http://web.lexis-nexis.com/universe/document?_m=eldc456188515028031f0792331abel)>; Internet; accessed 12/16/2001.

<sup>70</sup> President Bush, "State of the Union Address" 29 January 2002; available at; <http://www.cnn.com/2002/ALLPOLITICS/01/29/bush.speech.txt/>; Internet; accessed 5 March 2002.



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